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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------------|-------------|-----------------------|---------------------|------------------|
| 10/805,888 | 03/22/2004 | Robert William Winter | 51432/RRT/A784 | 2212 |
| 79456 | 7590 | 11/12/2008 | EXAMINER | |
| Robert W. Winter | | | MYINT, DENNIS Y | |
| 1091 Lakeview Terrace | | | ART UNIT | PAPER NUMBER |
| Azusa, CA 91702 | | | 2162 | |
| | | | MAIL DATE | |
| | | | 11/12/2008 | DELIVERY MODE |
| | | | | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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|---------------------------------|-------------|---|---------------------|
| 10805888 | 3/22/2004 | WINTER, ROBERT WILLIAM | 51432/RRT/A784 |

EXAMINER

DENNIS MYINT

ART UNIT PAPER

2162 20081103

DATE MAILED:

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Commissioner for Patents

With respect to Examiner's Answer for Application 10/805,888, there appears to be an error in the section 8, "Evidence Relied Upon". Section 8 has been replaced with the following:

(8) Evidence Relied Upon

| | | |
|--------------|-------------|---------|
| 2003/0009448 | Covington | 1-2003 |
| 2003/0043144 | Pundarika | 3-2003 |
| 2004/0010518 | Montemer | 1-2004 |
| 7072846 | Robinson | 7-2006 |
| 2004/0193480 | Pinsonnault | 9-2004 |
| 2002/0038430 | Edwards | 3-2002 |
| 2002/0152087 | Gonzales | 10-2002 |
| 2002/0194049 | Boyd | 12-2002 |

Appellant submitted an article written and published on the Web by the Appellant in July 2004, which is titled "BREAKING THROUGH WALLS: Realizing the Internet's Potential - From Politics to the Arts". Said article is NOT permitted in the brief. MPEP 1205.02[R3] states "(ix) Evidence appendix: An appendix containing copies of any evidence submitted pursuant to 37 CFR 1.130, 1.131, or 1.132 or any of other evidence entered by the examiner and relied upon by appellant in the appeal, along with a statement setting forth where in the record that evidence was entered in the record by the examiner. Reference to unentered evidence is "not permitted" in the brief.

It is noted that the date of publication of above-cited article by the Appellant is July 2004, which is after the effective filing date of the application which is March 27, 2003.

/John Breene/
Supervisory Patent Examiner, Art Unit 2162

/Dennis Myint/
Examiner, Art Unit 2162